

10/510319  
DT04 PCT/PTO 04 OCT 2004

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

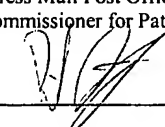
Applicant:	HILDGEN, et al.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	9680.258USWO
Title:	STEALTHY POLYMERIC BIODEGRADABLE NANOSPHERES AND USES THEREOF		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 408490513 US

Date of Deposit: October 4, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed March 16, 2004.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

Applicant hereby brings attention to the Examiner that the references listed were cited in an International Search Report dated March 16, 2004. A copy of the International Search Report is enclosed. Since the International Search Report is in English, no English translation of the listed foreign references are required, pursuant to MPEP §609(A)3.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

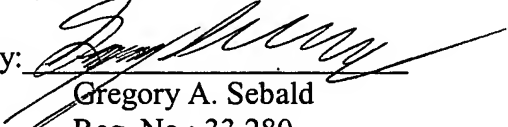
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332.5300

Dated: October 4, 2004

By:   
Gregory A. Sebald  
Reg. No.: 33,280

GAS/pjk



<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b>	<b>SERIAL NO.</b> 10/510319
	<b>APPLICANT</b> Patrice HILDGEN et al	
	<b>FILING DATE</b>	<b>GROUP</b>

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5	6	8	3	7	2	3	1997	G. SPENLEHAUER et al			
		6	0	0	7	8	4	5	1999	A.J. DOMB et al			
		6	1	3	9	8	7	0	2000	T. VERRECHIA			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
WO	01			1	2	7	1	8	2001	International publication				

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)**

1)	« Vecteurs polymériques injectables pour l'administration des anticancéreux », PANOYAN, Avedis et al, XP-02257860 68 <sup>e</sup> Congrès de l'Acfas, Session : S-154 Pharmacologie et toxicologie		
2)	« Long-circulating nanoparticles using biodegradable ABA triblock copolymers containing poly(L-lactic acid) A-blocks attached to central poly(oxyethylene) B-blocks, Yuichiro NAKARA et al, Pharmaceuticals research Center and Research and Development Center, Kanebo Ltd., XP-000783648 accepted August 13, 1997, pp. 479-481		
3)	"Clonazepam release from core-shell type nanoparticles of poly(ε-caprolactone)/poly(ethylene glycol)/poly(ε-caprolactone) triblock copolymers", Jae-Gon RYU et al, College of Pharmacy, Chosun University, South Korea, Department of Polymer Science and Eng., South Korea, International Journal of Pharmaceutics, 200 (2000) 231-242, XP-002257858 accepted 13 March 2000, pp. 231-242		
<table border="1"> <tr> <td>EXAMINER</td> <td>DATE CONSIDERED</td> </tr> </table>		EXAMINER	DATE CONSIDERED
EXAMINER	DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			